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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,564	08/18/2000	Ludwig Schweiger	P00,1539	7385

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FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

EMDADI, MEHDI

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 11/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/622,564

Applicant(s)

SCHWEIGER, LUDWIG

Examiner

Mehdi Emdadi

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8 and 9 is/are rejected.
- 7) ☒ Claim(s) 4 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

W. S. M.

Detailed Actions

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).
3. Claims 1, 2, 5, 6, 8, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by McDysan (US Patent No.: 6,226,260 B1)
4. Regarding claims 1 and 5, in Fig. 10 MacDysan teaches a device for converting data between FR format and ATM format including a FR/ATM adapter 1040 (*FR module and ATM module*) connected to an ATM link attached

to switch 940 and a FR link 905. The claimed central computer and buffer memory read on the processor 1020 and the memory 1030, respectively. In addition, the bus 1015, an internal bus, connects the memory 1030 to the processor 1020 and the adapter 1040 as claimed. See col. 9, lines 51-58.

5. Regarding claim 2, McDyson teaches: "In particular, FR-IWF module 920 includes a data bus 1015" (Col. Lines 52-53) (*a bus link*).
6. Regarding claim 6, McDyson teaches: "Memory 1030 includes storage for T/R FR UNI table 1035." (Col. Lines 57-58) (*comprises a reception unit and a transmission unit*).
7. Regarding claim 8, refer to the explanation provided for rejecting claim 1, above. Moreover, refer to col. 10 lines 24-40 as follows: "Frame Relay InterWorking Function (FR-IWF) -The operation of an FR-IWF module 920 is described with reference to FIG. 12. In particular, FIG. 12 shows the serial flow of data and status signaling from a particular FR UNI input," (*reading in FR data sequences*), "Rx FR-UNI, through FR-IWF 920 to a cell-switch 940. UART 1010 receives user data frames 1201 from Rx FR UNI. The user data frames 1201 include a header indicating the particular FR DLCI followed by user data information field 1." (*storing said read-in data in said buffer...*), "Processor 1020 (and/or FR/Adapter 1040) uses the received FR-DLCI to index a row in Table

1035 having corresponding Tx ATM PHY, ATM VCC and ATM DLCI information." (*controlling, with said central computer*), "FR/ATM adapter 1040 segments and reassembles (SAR) the data from a frame to cell format." (*converting said stored data into ATM format...*), "Processor 1020 stores the Rx ATM PHY value in Table 1035 in a row based on the received ATM VCC and ATM DLCI information in the ATM-STAT message 1207. (*non-interrupted operations ... buffer memory*).

8. Regarding claim 9, refer to the explanation provided for rejecting claim 1, above. Moreover, McDyson teaches: "Considering the reverse flow of data, FR-ATM adapter 1040 also converts user data I received as one or more cells 1205 from the switch 940 into one or more frames 1206." (Col. 10, line 66 through col. 11, line 1) (*reading in and desegmenting an ATM data sequence*), "The received ATM VCC and ATM DLCI fields in cells 1205 are used by processor 1020 to index a row in the Table 1035" (col. 11, lines 4-8) (*storing said read in...*), "The FR-DLCI and corresponding received user data I are then sent in frames (1206) by UART 1010 over a Tx-FR UNI" (col. 11, lines 8-10) (*reading out said same data converted into FR format...*), "Processor 1020 stores the RxATM PHY value in table 1035 in a row based on the received ATM VCC and ATM DLCI information in the ATM-STAT message 1207." (Col. 11, lines 28-31) (*providing non-interrupted operation ...said buffer memory*).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over

McDyson as applied to claim 2 above, and further in view of PCI Local Bus Specifications.

11. Regarding claim 3, McDyson does not specify the data bus used for

interconnecting the processor, memory, and the input/output devices.

However, the PCI specification defines interconnecting devices on a printed circuit board as a major objective of the bus design. Therefore, it would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains to utilize the PCI bus as the interconnecting mechanism for the integrated devices. The motivation for using a standard bus could have involved time and cost savings in addition to the user community's familiarity with such a standard.

Allowable Subject Matter

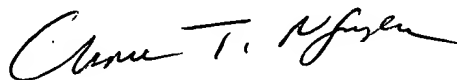
12. Claims 4 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehdi Emdadi whose telephone number is (703) 305-8709. The examiner can normally be reached between the hours of 8am and 5pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen, can be reached at (703) 308-5340. The fax phone numbers for the organization where this application or proceeding is assigned is (703) 872-9314 for regular communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

M. Emdadi

11/23/2003



CHAU NGUYEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600